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6 Attorneys for Defendant
VINCENT ELLIOT PORTER
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 VINCENT ELLIOT PORTER,

15 Defendant.
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Case No. 1:22-cr-00113-JLT-SKO

**STIPULATION TO VACATE STATUS
CONFERENCE AND SET FOR TRIAL;
ORDER**

Date: October 8, 2024

Time: 8:30 a.m.

Judge: Hon. Jennifer L. Thurston

17 IT IS HEREBY STIPULATED by and between the parties through their respective
18 counsel, Assistant United States Attorney Jeffrey Spivak, counsel for plaintiff, and Assistant
19 Federal Defender Christina M. Corcoran, counsel for Vincent Elliot Porter, that the Court may
20 vacate the status conference currently scheduled for December 6, 2023, at 1:00 p.m. and set this
21 matter for a jury trial on October 8, 2024, at 8:30 a.m.

22 On November 14, 2023, the Court directed the parties to meet and confer and select a
23 mutually convenient trial date. The parties have selected Tuesday, October 8, 2024, at 8:30 a.m.

24 The parties agree and request that the Court make the following findings:

25 1. The government has produced voluminous discovery in this case, consisting of
26 46,844 Bates-marked pages.

27 2. Defense counsel requires time to review discovery, conduct necessary
28 investigation, and prepare for trial.

1 3. Defense counsel's schedule is fully booked for at least the next four months,
2 during which time she will have little time to prepare for what would be a complex trial. Among
3 other things, defense counsel's schedule includes significant sentencing hearings in eight cases,
4 litigation on dispositive pretrial motions in *United States v. Brandon Castillo*, 20-cr-00113-
5 ADA-BAM, and two cases with either briefing deadlines or oral argument scheduled before the
6 Ninth Circuit, including *United States v. Oshay Pullen*, 20-cr-00195-JLT-SKO, and *United*
7 *States v. Terry Zane*, 08-cr-00369.

8 4. Furthermore, in light of the voluminous discovery, defense counsel believes this
9 case may require significant briefing on motions prior to trial.

10 5. Defense counsel believes that failure to grant the above-requested continuance
11 would deny her the reasonable time necessary for effective preparation, taking into account the
12 exercise of due diligence.

13 5. The government does not object to the requested continuance.

14 6. Based on the above-stated findings, the ends of justice served by continuing the
15 case as requested outweigh the interest of the public and the defendant in a trial within the
16 original date prescribed by the Speedy Trial Act.

17 7. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
18 *et seq.*, within which trial must commence, the time period of December 6, 2023, to October 8,
19 2024, inclusive, is excludable pursuant to 18 U.S. C. § 3161(h)(7)(A) and (B)(iv).

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1 **IT IS SO STIPULATED.**

2 Respectfully submitted,

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4 PHILLIP A. TALBERT
United States Attorney

5 Date: November 29, 2023

6 /s/ Jeffrey Spivak
JEFFREY SPIVAK
Assistant United States Attorney
Attorney for Plaintiff

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8 HEATHER E. WILLIAMS
Federal Defender

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10 Date: November 29, 2023

11 /s/ Christina M. Corcoran
CHRISTINA M. CORCORAN
Assistant Federal Defender
Attorney for Defendant
VINCENT ELLIOT PORTER

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15 **ORDER**

16 **IT IS SO ORDERED.** The status currently scheduled for December 6, 2023, at 1:00
17 p.m. is hereby vacated. This matter is set for a jury trial on October 8, 2024, at 8:30 a.m. For the
18 reasons set forth in the stipulation, the time period of December 6, 2023, to October 8, 2024,
19 inclusive, is excluded pursuant to 18 U.S. C. § 3161(h)(7)(A) and (B)(iv).
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22 Date: 11/29/2023

23 Sheila K. Oberto
Hon. Sheila K. Oberto
United States Magistrate Judge